

Attorney's Docket No. 5175-135

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkle et al.  
Serial No.: 09/701,760  
Filed: April 19, 2001  
For: *Method for Purification, Recovery, and Sporulation of Cysts and Oocysts*

Examiner: Rodney P. Swartz, Ph.D.  
Art Unit 1645  
Confirmation No. 8928

Date: February 14, 2005

Mail Stop Petition  
Attn: Ms. Sherry Brinkley  
Via Facsimile 571-273-0025  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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FEB 14 2005

**OFFICE OF PETITIONS**

**PETITION FOR WITHDRAWAL FROM ISSUE  
PURSUANT TO 37 CFR 1.313 (c)(2)**

Dear Sirs,

Applicants hereby petition for withdrawal of this application from issue. The issue fee for the above-mentioned patent application was paid in error on October 21, 2004. A copy of the Fee Transmittal dated October 21, 2004 and a copy of the notice of allowance and issue fee due are included with this petition.

Applicants submit good and sufficient reason for withdrawal from issue for consideration of the submission of a Request for Continued Examination (RCE) under CFR 1.114 with Information Disclosure Statement (IDS) as filed in the United States Patent and Trademark Office on August 20, 2004. A copy of the RCE with IDS as filed, along with copies of all references cited in the IDS and a copy of the receive-stamped return postcard are included with this petition. Applicants note that the RCE and accompanying IDS were filed prior to the erroneous payment of the issue fee.

Accordingly, Applicants respectfully request withdrawal of this application from issue and consideration of the RCE and IDS submitted on August 20, 2004.

02/15/2005 AKELLEY 00000016 500220 09701760

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In re: Conkle et al.  
Serial No.: 09/701,760  
Filed: April 19, 2001  
Attorney Docket No. 5175-135  
Page 2

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The Commissioner is authorized to charge the specified \$130.00 petition fee to Deposit Account No. 50-0220. Further, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Karen A. Magri  
Registration No. 41,965

**CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 CFR 1.8**

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Sarah Brunmeier

**Customer No. 20792**  
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P. O. Box 37428  
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**4140 Parklake Avenue, Suite 600, Raleigh, NC 27612**

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**Raleigh, NC 27627**  
**919-854-1400**  
**Facsimile 919-854-1401**

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**Date: February 14, 2005**

**Application No. 09/701,760**  
**Attorney Docket: 5175-135**

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**Attn: Ms. Sherry Brinkley**

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**From: Karen A. Magri, Esq.**

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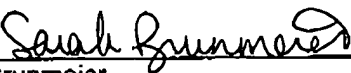
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Sarah Brunmeier

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CURRENT CORRESPONDENCE ADDRESS (Name Use Block 1 for any change of address)

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07/23/2004

Paul H Ginsburg  
Pfizer Inc.  
30th Floor  
235 East 42nd Street  
New York, NY 10017-5755

Sully, Scott, Murphy & Presser  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530

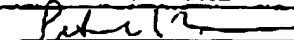
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Peter I. Bernstein

(Depositor's Name)



(Signature)

October 21, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,760	04/19/2001	Harold N. Conkle	PC10433A	FAX RECEIVED

TITLE OF INVENTION: METHOD FOR THE PURIFICATION, RECOVERY, AND SPORULATION OF CYSTS AND OOCYSTS

FEB 14 2005

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEES DUE	OFFICE OF PETITIONS
nonprovisional	NO	\$1330 1370	50	\$1380 1370	10/25/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
SWARTZ, RODNEY P	1645	424-093100			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Sully, Scott,

Murphy &amp; Presser

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Pfizer, Inc.

(B) RESIDENCE (CITY and STATE OR COUNTRY)

New York, NY

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☐ Issue Fee☐ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2033 is attached.☒ The Director is hereby authorized by check the required fee(s), or credit any overpayment, to Deposit Account Number 19-1013/SMP (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(b)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature)

Page #43, 497

Peter I. Bernstein

(Date)

October 21, 2004

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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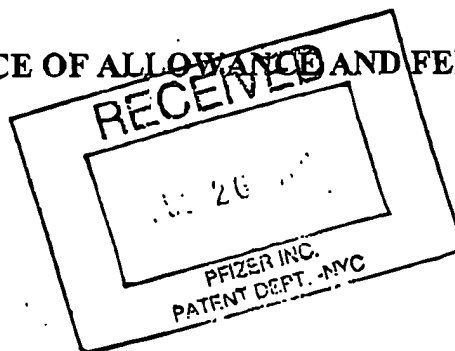
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## NOTICE OF ALLOWANCE AND FEE(S) DUE

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7590 07/23/2004  
Paul H Ginsburg  
Pfizer Inc  
20th Floor  
235 East 42nd Street  
New York, NY 10017-5755



EXAMINER  
SWARTZ, RODNEY  
ART UNIT  
PAPER NUMBER  
DATE MAILED: 07/23/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,760	04/19/2001	Harold N. Conkle	PC10433A	8928

TITLE OF INVENTION: METHOD FOR THE PURIFICATION, RECOVERY, AND SPORULATION OF CYSTS AND OOCYSTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	10/25/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

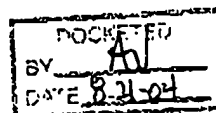
- A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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07/23/2004

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Pfizer Inc  
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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,760	04/19/2001	Harold N. Conkle	PC10433A	

FAX RECEIVED

TITLE OF INVENTION: METHOD FOR THE PURIFICATION, RECOVERY, AND SPORULATION OF CYSTS AND OOCYSTS

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nonprovisional	NO	\$1330	\$0	\$1330	10/25/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SWARTZ, RODNEY P	1645	424-093100

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1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

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(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
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4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

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(Authorized Signature)

(Date)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,760	04/19/2001	Harold N. Conkle	PC10433A	8928

7590

07/23/2004

Paul H Ginsburg  
Pfizer Inc  
20th Floor  
235 East 42nd Street  
New York, NY 10017-5755

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EXAMINER

SWARTZ, RODNEY P

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 07/23/2004

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**Determination of Patent Term Extension under 35 U.S.C. 154 (b)**  
(application filed after June 7, 1995 but prior to May 29, 2000)

OFFICE OF PETITIONS

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/701,760	CONKLE ET AL	
	Examiner	Art Unit	
	Rodney P. Swartz, Ph.D.	1645	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 25 November 2003.
2. ☒ The allowed claim(s) is/are 1-39 and 41-53.
3. ☒ The drawings filed on 19 April 2001 are accepted by the Examiner.

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OFFICE OF PETITIONS

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>2/2/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                             | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |



Application/Control Number: 09/701,760

Page 2

Art Unit: 1645

### **DETAILED ACTION**

1. Applicants' Response to Final Office Action, received 25 November 2003, is acknowledged. Claims 1, 7, 15, 22, 30, and 48 have been amended. Claim 40 has been canceled. New claims 52 and 53 have been added.
2. Claims 1-39 and 41-53 are pending and under consideration.

### **Rejections Moot/Withdrawn**

3. The rejection of claim 40 under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, is moot in light of the cancellation of the claim.
4. The rejection of claims 15-17 under 35 U.S.C. 112, second paragraph, indefiniteness, is withdrawn in light of the amendment of the claims.
5. The rejection of claims 1-6, 28-39 under 35 U.S.C. 112, second paragraph, as being indefinite, is withdrawn in light of the amendment of the claims.
6. The rejection of claims 7-14 under 35 U.S.C. 112, second paragraph, as being indefinite, is withdrawn in light of the amendment of the claims.
7. The rejection of claims 18-27 and 41-51 under 35 U.S.C. 112, second paragraph, as being indefinite, is withdrawn in light of the amendment of the claims.

### **Conclusion**

8. Claims 1-39 and 41-53 are free of the prior art of record and are allowable.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney P. Swartz, Ph.D., Art Unit 1645, whose telephone number is (571) 272-0865. The examiner can normally be reached on Monday through Thursday from 5:30 AM to 4:00 PM EST.

Application/Control Number: 09/701,760

Page 3

Art Unit: 1645

If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Lynette F. Smith, can be reached on (571)272-0864.

The fax phone number for the organization where this application or proceedings assigned is (703) 872-9306.

**COPY**

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Rodney P Swartz*  
RODNEY P SWARTZ, PH.D  
PRIMARY EXAMINER  
Art Unit 1645

July 21, 2004



<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/701,760
	Filing Date	April 19, 2001
	First Named Inventor	Conkle et al.
	Group Art Unit	1645
	Examiner Name	Rodney P. Swartz
	Attorney Docket Number	5175-135

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Request for Reconsideration
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS), Form PTO-1449, and 2 references
- iv. ☐ Other \_\_\_\_\_

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.405(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_


3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$770.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0220

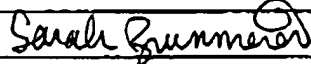
Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,  
 Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 20792

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Karen A. Magri	Registration No. (Attorney/Agent)	41,965
Signature		Date	August 20, 2004

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number: EV472533328US Date of Deposit: August 20, 2004  
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	Sarah Brunmeier
Signature	
Date	August 20, 2004

<b>FORM PTO-1449 U.S. Department of Commerce</b> Patent and Trademark Office					Attorney Docket Number 5175-135		Serial No. 09/701,760	
<b>LIST OF DOCUMENTS CITED BY APPLICANT</b> (Use several sheets if necessary) A1 of A1								
					Applicants: <b>COPI</b> <del>et al.</del>			
					Filing Date: April 19, 2004			Group: 1645
<b>U. S. PATENT DOCUMENTS</b>								
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
<b>FOREIGN PATENT DOCUMENTS</b>								
		Document Number	Date	Country	Class	Subclass	Translation Yes   No	
	1.	RU2095409 C1		Russia			YES	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
	2.	CHERVJAKOV et al., "Handbook, Veterinary Drugs," Moscow, Kolos. (1977) pp. 391-392. (With English Translation)						

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**OFFICE OF PETITIONS**

EXAMINER \_\_\_\_\_

DATE CONSIDERED \_\_\_\_\_

\*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Attorney's Docket No. 5175.135

PATENT

In re: Conkle et al.  
Serial No.: 09/701,760  
Filed: April 19, 2001  
For: *Method for Purification, Recovery, and  
Sporulation of Cysts and Oocysts*

Examiner: Rodney P. Swartz, Ph.D.  
Art Unit 1645  
Confirmation No. 8928

Date: August 20, 2004

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

OFFICE OF PETITIONS

Sir:

Attached is a list of documents on form PTO-1449 together with a copy of each identified document, and an English translation thereof. It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 09-0461.

Respectfully submitted,



Karen A. Magri  
Registration No. 41,965

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number: EV472533328US Date of Deposit: August 20, 2004  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Sarah Brunmeier**Customer No. 20792**

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06.15.1038  
21.1.1038

Д.К. Червяков  
7-456

Л.Д. Ердюкимов  
А.С. Вишнер



СТРАВОЧНИК  
ИЗДАНИЕ: ВОПРОС ПЕРЕРАБОТКИ И ДОПОЛНЕНИЕ

ВСЕОБЩЕЕ  
НАУЧНО-ТЕХНИЧЕСКОЕ  
ВИДЕНИЕ

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действие. В водных растворах при взаимодействии с органическими веществами разлагается с образованием свободного кислорода. Кислород действует антибактериально и дезодорирующе, в растворах. В зависимости от концентрации проявляют различные эффекты. Свежеприготовленные растворы действуют раздражающе на слизистую оболочку желудка. 2—5%-ный раствор калия перманганата действует на большинство вегетативных форм бактерий губительно, сила его сильно понижается в присутствии органических веществ. В связи с аджунгичи и противомикробным действием проглатывание и кровоостанавливающее. Оказывает

[illegible]

Для дезинфекции рук (0,5—2% -ный раствор перманганата) и для дезинфекции пораженного поля (5%-ный раствор), применяемый для обработки пораженного поля (0,5%-ный раствор). Его применяют при пиодермии, фурункулезе, дерматите и негробактериальном пиодермии.

[illegible]

Воды и спирта: спирта 0,1% — 100 мл, воды 0,1% — 100 мл. Воды и спирта: спирта 0,1% — 100 мл, воды 0,1% — 100 мл.

раствор перекиси водорода концентрированный

50:41

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52

**НАФТАЛИН. НАРПТНАЛИНУМ**

ஆம்

**Свойства.** Бесцветные блестящие пластинки с жарким запахом бензола и вкусом. В воде не растворяется, растворяется в этилэтере, хлороформе. В открыто воздухе постепенно углекисляется, а также на каменноугольном дегте образует дробный перегонки. Удалены бикада и в плотных бумажных пакетах.

Действие и применение. Обладает обезболивающим и противовоспалительным действием. Оказывает сильное рефлексное действие на слизистых. В связи с адвантностью для животного, создавать в воде применение его ограничено.

Применяют лезен в форме иглы, протыкают или вводят в ранку, отпускаящее насаемое средство при ранках помы, в том числе настраивают живую ткань.

В виде препарата дезинсектанта — Desinsectalium (Desinsectalium) с примесью нейтральных углеводородов и пачеи — переносков гемостатической активности.

**ARTOT: AUTOLUAI**

**Святозем: матицкое насто-**

Свойства. Тягучая, мазеобразная темно-бурая масса. Не растворяется в воде. Смешивается с жирами и маслами. Обладает антикоррозионными свойствами. Температура застывания минус 35—40°. Пользуется распространением в остаточных фракциях нефти. Хранить в бочках из-под бензина.

Действие и применение. Действует антисептически и противогрибково. Применяют как основу при изготовлении мазей, настоев, ванн, ванночек, гиподерматов, стружки из аншоа и других лекарственных веществ.

Официальная печать, 1908 г. Удвоенная Аудит.

Состоит: автола 85 частей, стеарина 12 частей, окиси цинка 3 частей, стеарина 85 частей; стеарина 7, парафина 3 и стального сала 5 частей.

*Выпускают в упаковке по 20 и 30 г. Применяют для лечения глаз, ожогов, промоченной, деформированной, а также используют как средство приготавливая другие мази. Наносят на кожу 1—2 раза в день по поводу или без нее.*

Полимеризованное автоокисляющееся вещество. Получают из смеси полиметилметакрилатов и метилметакрилатов. Применяют в виде порошков, лаков, красок, клеев, герметиков, прокладочных и других материалов. Применяют в виде порошков, склеивая в полимерные пленки, лаки, краски, герметики, прокладочные и другие материалы.

## 2. ВЕЩЕСТВА, ОТДАЮЩИЕ КИСЛОРОД

КАЛИЯ ПЕРМАНГАТ, КАЛИЙ ПЕРМАНГАНАТ.

Қазақ маргандовиксый, КМПО,

Свойства. Газоно-красно-фиолетовые кристаллы или мелкие кристаллические порошки с металлическим блеском. Растворимы в воде в холодной на 1:3,5 в кипящей. Водные растворы от розового до фиолетово-розоватого цвета. Несомножественно с легко окисляющимися и восстанавливающимися веществами (глицероиды, алкалоиды, дубильные вещества, соли, сера, растительные глины, белки, спирт и фосфор). При смешивании может произойти взрыв. Является сильным окислителем. Хорошо закуривается в хорошо закуриваемых банках и в закуриваемых банках.

三





[handwritten] [illegible] (039)

[illegible]

[illegible] – 456

[illegible]

D. K. Chervjakov

P. D. Evdokimov

A. S. Vishker

**COPY**

Veterinary Drugs

Handbook

Second Revised and Supplemented Edition

All-Union  
Patent-Technical  
LIBRARY

[handwritten] 986 816

[illegible] 1977

**COPY****NAPHTHALENE, NAPHTHALINUM****C<sub>20</sub>H<sub>10</sub>**

Properties. Colorless, lustrous laminae with characteristic odor and taste. Insoluble in water, soluble in alcohol, ether, chloroform. Gradually volatilizes when exposed. [Illegible] from coal tar by [illegible] distillation. Stored in closed containers and in tight paper packages.

Action and use. Possesses a slight antimicrobial and antiparasite effect. Has a weak repellent effect on insects. In conjunction with toxicity for animals and insolubility in water its use is limited.

Used in the summer in the form of powder as anti [illegible] that repels insects on skin, including castration of animals.

In the form of the preparation desinsectalin – Desinsectalinum (mixture of naphthalene in 60% carbon with an admixture of neutral hydrocarbons) used against lice and mites-carriers of hemospodiosis.

**AUTOL, AUTOLUM****Synonym: machine oil**

Properties. Viscous, salve-like dark brown mass. Insoluble in water. Miscible with fats and oils. Possesses anticorrosion properties. Solidification point 35-40°. Produced from petroleum distillates and residues. Stored in drums and iron cans.

Action and use. As an antiseptic effect and acts against [illegible]. Used as a base for production and salves, used in mange, hypodermatosis, ringworm and other skin diseases.

Official autol salve. Unguentum Autoli. Consists of 85 parts autol, 12 parts stearin, 3 parts zinc oxide; 85 parts autol, 7 parts stearin, 3 parts paraffin and 5 parts suet [illegible] brownish-yellow mass or chocolate-colored odorless mass.

Produced in a 20 and 30 g package. Used to treat [illegible], burns, ulcers, dermatitis and also used [illegible] to prepare other salves. Applied to the skin one to two times in a bandage or without one.

Polymerol. Polymerolum. Polymerized autol. Viscous dark brown liquid. Insoluble in water, soluble in solvent naphtha, chloroform. Used externally in pyodermas, burns, ulcers and other diseases of the skin. [Illegible] once a day in the form of bandages moistened in polymerol and [illegible].

**2. SUBSTANCES THAT RELEASE OXYGEN****POTASSIUM PERMANGANATE, KALII PERMANGANAS****Potassium permanganate, KMnO<sub>4</sub>**

Properties. Dark red violet crystals or fine [illegible] powder with metallic luster. Soluble in water [illegible] cold and 1:3.5 in boiling water). Aqueous solutions are reddish to purple in color. Incompatible with readily oxidizing and [illegible] substances (glycosides, alkaloids, tannins, [illegible] salts, sulfur, plant mucilages, proteins, alcohol and phosphorus) [illegible] can explode. Is a strong oxidizer. [Illegible] in well-sealed containers or in sealed tins.

Action. In aqueous solutions during reaction with organic substances it decomposes to form free oxygen and manganese salts. Oxygen has an antimicrobial and deodorizing effect. Manganese, depending on concentration, exhibits an astringent and irritating effect. Freshly prepared solutions act [illegible] and solutions stored for 3 days. A 2-5% solution of potassium permanganate has a destructive effect on most vegetative forms of bacteria. Its disinfecting power is strongly reduced in the presence of [illegible] substances. In conjunction with the astringent and antimicrobial effect it has an anti-inflammatory and styptic effect. Oxidizes and [illegible] venom of snakes, phosphorus, alkaloids, morphine, aconitine, etc.

Use. As an antiseptic and anti-inflammatory agent is used in the form of washing with 0.1-0.2% solution in stomatitis, rhinitis, pharyngitis, laryngitis. Is used in [illegible] of the esophagus, in enteritis, functional disorders of the intestines (0.1-0.2% solution) and also in intoxication [illegible] internally with opium, morphine, aconitine, phosphorus (0.5-2% solution). For prevention of gastrointestinal diseases a solution of potassium permanganate is periodically furnished to the animal (0.01% solution). During perosis in birds a drink which is administered with 0.01% dilution for 2 to 4 days.

Potassium permanganate is used for disinfection of hands (0.5-2% solution), treatment of the operating field (5% solution), washing (0.1-0.5% solution). It is prescribed in pyodermas, furunculosis, dermatitis and necrobacillosis in the form of a spray with 1-3% solution.

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
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## INCOMPLETE RECEPTION

TX/RX NO	8021	
RECIPIENT ADDRESS	919 854 1401	
DESTINATION ID		
ST. TIME	02/14 14:43	
TIME USE	15'49	
PGS.	20	
RESULT	NG	##0793

**COPY**

In vernicose dermatitis the damaged site in the region of [illegible] is sprinkled with permanganate powder in a mixture with streptocide and wrapped in a bandage. For primary treatments and treatment of skin damage [illegible] a 0.2-0.5% solution is used.

Potassium permanganate is used in disinfection and deodorizing [illegible], storerooms for storage of meat and dairy products and also tables in markets, meat stands, counters, packages of meat and fish products (2-4% hot solution). In bites of toxic beetles and snakes, the location of the bite is sprayed with 5% solution [illegible] around the location of the bite 1% solution: small [illegible] 2-5 mL, large 5-10 mL; in snake bite it is simultaneously recommended that anti-snake serum be administered. In obstetric practice in metritis, vaginitis and trichomoniasis in large cattle spraying with a 0.1% solution is prescribed.

Doses internally 0.1-0.2% solution; horses and large cattle 200-600 mL; small ruminants and pigs 50-100 mL; [illegible] to 1 year 50-100 mL.

#### CONCENTRATED POTASSIUM HYDROXIDE SOLUTION.

#### SOLUTIO HYDROGENII PEROXYDI CONCENTRATA



Synonyms: perhydrol, hyperol.

Properties: colorless transparent liquid without odor or with a weak intrinsic odor, weakly acid reaction. Slowly decomposes at room temperature, very rapidly when heated. The preparation contains 27.5-31% hydrogen peroxide. Incompatible with readily oxidizing substances, alkalis, silver salts, phosphorus. [illegible] in glass vessels with glass stoppers in a cool location protected from light.

[Page 3]

For practical purposes a solution of hydrogen peroxide is also available – Solutio Hydrogenii peroxydi diluta containing about [illegible] hydrogen peroxide. This transparent colorless odorless liquid has an astringent taste, weakly acid reaction. For preparation [illegible] 10 g perhydrol and water added to 100 mL. For practical purposes this hydrogen peroxide is prescribed and used.

Action. On contact with organic and other oxidizing substances, potassium hydroxide solutions decomposes with liberation of oxygen. One liter of 3% hydrogen peroxide solution forms up to 10 L of oxygen. Decomposition of hydrogen peroxide occurs under the influence of tissue enzymes (peroxidases and catalases), cleavage occurs according to the peroxidase type ( $\text{H}_2\text{O}_2 \rightarrow \text{H}_2\text{O} + \text{O}$ ), active atomic oxygen is formed, and if according to the catalase [illegible] molecular oxygen is liberated ( $2\text{H}_2\text{O}_2 \rightarrow 2\text{H}_2\text{O} + \text{O}_2$ ). The formed atomic oxygen as an oxidizer has an antimicrobial or deodorizing effect. The liberated oxygen forms fine bubbles that mechanically promote cleaning of a wound from [illegible] and dead tissue.

Hydrogen peroxide has a slight astringent and styptic effect. As a strong oxidizer it oxidizes toxins of snakes and [illegible]. According to the strength of the antimicrobial effect a 3% solution of hydrogen peroxides corresponding to a 0.1% solution of corrosive sublimate, 5% solution of carbolic acid. Hydrogen peroxide eliminates putrid odors, reduces blood flow and accelerates healing of wounds.

Use. As a disinfectant and deodorizing agent it is used for washing and rinsing in inflammatory diseases of the oral mucosa, throat, in gynecological diseases, hemorrhage from mucous membranes (1-2% solution), for washing of festering wounds, ulcers, cavities and also inflammation of the external ear (3% solution). Used for [illegible] bandages.

In bites of poisonous snakes and beetles perhydrol is introduced subcutaneously around the location of the bite with a 3% hydrogen peroxide solution (small animals 1-5 mL).

For disinfection of poultry coops 3% perhydrol solution is used with 0.5% lactic acid. For preparation of the solution 1 part perhydrol and 9 parts water and then 0.5% lactic acid is added, a 3% hydrogen peroxide solution is used to sterilize syringes-catheters used in artificial [illegible] with subsequent washing with isotonic sodium chloride solution. For disinfection [illegible] 10% hydrogen peroxide solution and 3% acetic acid solution or formic acid solution is used with three-fold application of 1 liter per 1 m<sup>2</sup> of area at hourly intervals. Disinfection of special clothing of workers in apiaries is carried out no less than once a month by immersion in 2% hydrogen peroxide solution for an hour or in a chamber with formaldehyde vapors.

#### HYDROPERITE IN TABLETS. TABULETTAE HUDROPERIT

**COPY**

Properties. Tablets containing a complex compound of hydrogen peroxide with urea. Hydrogen peroxide is contained 33 to 35% [illegible] white color. Readily soluble in water. Stored in standard package in a dry location protected from light.

Action and use. One tablet of hydroperite dissolved in 15 mL of water corresponds to a 3% solution of hydrogen peroxide. It is used as an antiseptic and deodorizing agent in inflammatory diseases of the mucosa of the mouth, throat, in [illegible] diseases, and also for washing of wounds and cavities (0.5-1% solution of hydrogen peroxide). To prepare a 0.5% hydrogen peroxide solution, one tablet is dissolved in 100 mL of water.

### 3. FORMALDEHYDE GROUP

#### FORMALDEHYDE SOLUTION. SOLUTIO FORMALDEHYDI FORMALIN. FORMALINUM

10% aqueous solution of formaldehyde, HCOH.

Properties. Transparent, colorless liquid with a peculiar [illegible] irritating odor. Readily miscible with water in all ratios. When stored in a cool location sometimes becomes turbid and forms precipitates that dissolve when heated. To prevent polymerization methyl alcohol (10-12%) is added to formalin. Compatible with oxidizers, phenol, camphor, menthol, thymol. Stored in well-sealed bottles in a dark location at a temperature no lower than 9°. The bottles are placed in baskets and wrapped [illegible] or other packaging material.

Action. Formaldehyde reacts readily with many substances, including proteins. Has an irritating, [illegible], antiparasitic, deodorizing and desiccant effect. [Illegible] nonsporulating microorganisms, spore forms of micro[illegible], viruses and fungi. Anthrax spores on exposure to a hot (30°) formaldehyde solution are killed within 3 hours. Has a destructive effect on mites, flies, their larvae and other parasites. An increase in temperature and relative humidity in rooms increases the antimicrobial activity of the preparation. Reaction of formaldehyde with protoplasm and removal of oxygen from protein compounds, coagulation and denaturation of proteins of the bacterial cell underlie the antimicrobial effect. At a temperature below 0° formaldehyde has no destructive effect on microbes.

Formalin tightens and dries the skin and during frequent use the skin becomes dry, fragile and eczema develops. Aqueous solutions of formalin after use internally have an antiseptic and anti[illegible] effect and in cases of internal use of concentrated solutions gastroenteritis develops.

Use. Used as one of the most universal and best agents for disinfection of animal-keeping rooms. Can be used in aqueous solutions, in the gaseous state, in the form of aerosols and in pure form, also mixed with other chemical agents. For disinfection of rooms during foot-and-mouth disease, pseudorabies, pasteurellosis in pigs, pullorosis in birds 1% formaldehyde solution is used. In infectious vaginitis, paratyphus of pigs, [illegible] of horses 2%, in anthrax 4% solution. [Illegible] formaldehyde solution is recommended for disinfection in [illegible] (1% sodium iodide and 2% formaldehyde) in tuberculosis of birds (3% sodium iodide and 3% formaldehyde). Disinfection is carried out at a temperature of 25-30°.

- Formaldehyde is used for gas disinfection of hermetically sealed rooms, containers and inventories. For this purpose 45 parts by weight formalin (40% formaldehyde) and 22 parts water are poured into a metal or [illegible] vessel and then 30 parts potassium [illegible] are added ... [end of furnished text].

(19) RU (11) 2095409 (13) C1

(51) 6 C12N1/20, C12N3/00, A61K39/07,  
C12N1/20, C12R1:07РОССИЙСКОЕ АГЕНТСТВО  
ПО ПАТЕНТАМ И ТОВАРНЫМ ЗНАКАМ**(12) ОПИСАНИЕ  
ИЗОБРЕТЕНИЯ**

к патенту Российской Федерации

**COPY**

(14) Дата публикации: 1997.11.10

(21) Регистрационный номер заявки: 95111037/13

(22) Дата подачи заявки: 1995.06.27

(46) Дата публикации формулы изобретения:  
1997.11.10(56) Аналоги изобретения: 1. 1. SU, авторское  
свидетельство, 1837071, кл.С 12N 1/20, 1993. 2.  
SU, авторское свидетельство, 1791449, кл.С  
12N 3/00, 1993.(71) Имя заявителя: Всероссийский научно-  
исследовательский институт  
ветеринарной вирусологии и  
микробиологии(72) Имя изобретателя: Гаврилов В.А.; Числов  
Ю.В.; Николайчук Л.Ф.(73) Имя патентообладателя: Всероссийский  
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микробиологии**(54) СПОСОБ ИЗГОТОВЛЕНИЯ ВАКЦИНЫ ПРОТИВ СИБИРСКОЙ ЯЗВЫ ЖИВОТНЫХ**

Использование: биотехнология, микробиология, вакцина против сибирской язвы животных. Сущность изобретения: культивирование вакцинного штамма 5-ВНИИВВиМ осуществляют в жидкой споруляционно-ростовой среде, содержащей дрожжевой экстракт, пептон, калий фосфорнокислый двузамещенный, кальций хлористый, цинк сернокислый, медь сернокислую, железо сернокислое, аммоний сернокислый и воду (рН 7,2  $\pm$  0,2). При этом культивирование штамма осуществляют в реакторе в течение 23 - 25 ч, из них первые 17 - 19 ч при аэрации, поддерживая скорость растворения кислорода в среде  $5,5 \pm 0,2$  ммоль на 1 л среды в час.

Для концентрирования спор используют натриевую соль карбоксиметилцеллюлозы, которую вносят в суспензию до концентрации 0,2 - 0,3%, а отстаивание осуществляют при температуре 0 - 25°C в течение 23 - 25 ч.-2 з.п. ф-лы.

Изобретение относится к области микробиологии, в частности к биотехнологии вакцинных препаратов, и может быть использовано при изготовлении вакцины против сибирской язвы.

Для изготовления вакцины против сибирской язвы животных используют способ культивирования бактерий вида *B. anthracis* в бутылках-четвертях на плотной питательной споруляционной среде, содержащей в качестве основного компонента гидролизат кормовых дрожжей [1]

Недостатком данного способа является длительность процесса культивирования штамма *B. anthracis* (72 82 ч), а также трудоемкость, так как наработка спорового материала производится в бутылках-четвертях.

Наиболее близким техническим решением, выбранным в качестве прототипа, является способ культивирования штамма 55-ВНИИВВиМ в жидкой питательной среде с использованием в качестве источника азота кислотного гидролизата говяжьего мяса. Способ позволяет за 48 ч получить споровый материал, содержащий 100 300 млн. жизнеспособных спор штамма 55-ВНИИВВиМ [2]

Основные недостатки этого способа заключаются в небольшом выходе спорового материала с 1 см<sup>3</sup> питательной среды (100 300 млн. спор в 1 см<sup>3</sup>), в использовании в среде культивирования мяса, ценного продукта питания человека, а также в длительности процесса выращивания культуры и получения спор (2 сут).

Основные недостатки этого способа заключается в длительности процесса концентрирования (4 5 сут), а также в образовании прочных конгломератов спор при отстаивании, которые трудно ресуспендировать. Наличие конгломератов спор в вакцине недопустимо.

Целью настоящего изобретения является увеличение выхода количества спор с единицы питательной среды, сокращение трудоемкости способа, материальных затрат и времени на получение и концентрирование спорового материала для изготовления вакцины.

Цель достигается тем, что в предлагаемом способе изготовления вакцины против сибирской язвы культивирование осуществляют в реакторе с использованием разработанной нами и апробированной при производстве вакцины жидкой споруляционно-ростовой среды следующего состава (мас.):

Дрожжевой экстракт сухой 0,2 0,3

Пептон ферментативный сухой 0,2 0,3

Калий фосфорнокислый двузамещенный 0,04 0,06

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Кальций хлористый 0,004 0,006

Магний сернокислый 0,03 0,05

Цинк сернокислый 0,0005 0,0015

Медь сернокислая 0,0005 0,0015

Железо сернокислое 0,00005 0,00015

Аммоний сернокислый 0,15 0,25

Вода деминерализованная (рН 7,2±0,2) Остальное

Кроме того, используют иные условия культивирования. В первые 18 ч культуру штамма 55-ВНИИВВиМ аэрируют воздухом путем барботирования, уровень аэрации составляет 5,3 5,7 ммоль растворенного кислорода на 1 л среды в 1 ч, при этом 95 100% выросших бактериальных клеток образуют споры. Затем аэрирование прекращают и культуру выдерживают 6 ч до завершения спорообразования и полного лизиса вегетативного материала.

Сокращение времени на концентрирование спорового материала достигается использованием в качестве вспомогательного вещества натриевой соли: карбоксиметилцеллюлозы (Na КМЦ) в оптимальной концентрации 0,2 0,3%. Кроме того, осаждение спор осуществляют непосредственно в реакторе при температуре 0 25°C в течение 23 25 ч.

Способ культивирования разработан на 5-литровом ферментере "Бромма" (фирма ЛКБ Швеция) и воспроизведен в 250-литровом реакторе. Указанный способ может быть осуществлен в сосудах для культивирования различного объема. Для этого необходимо определить массообменные по кислороду характеристики используемых сосудов. Это можно выполнить с помощью сульфитного метода.

Пример 1. Определение массообмена по кислороду в 250-литровом реакторе, выращивание культуры штамма 55-ВНИИВВиМ и получение спор.

В 250-литровом реакторе, содержащем 160 л дистиллированной воды, по усовершенствованному сульфитному методу определяют скорость растворения кислорода (ммоль  $O_2$  в час) при подаче воздуха через барботер в реакторе в количестве 2,5  $дм^3/л$  воды в мин или 40  $дм^3/160 л$  воды в мин (1-е измерение); 5  $дм^3/л$  воды в мин или 80  $дм^3/160 л$  в мин (2-е измерение) и 7,5  $дм^3/л$  воды в мин или 120  $дм^3/160 л$  воды в мин (3-е измерение).



Выращивание культуры штамма 55-ВНИИВВиМ и получение спор.

**СОРУ**

В реакторе (250 л) готовят 160 л споруляционно-ростовой среды по прописи (см. выше). Реактивы растворяют в той же последовательности, в которой они написаны. Устанавливают pH среды  $7,2 \pm 0,2$  добавлением 25%-ного раствора гидроксида калия или натрия. Среду стерилизуют при  $134^\circ\text{C}$  в течение 1 ч и охлаждают до  $30-35^\circ\text{C}$ .

В реактор с питательной средой заливают через пробоотборник посевной материал, спорую суспензию штамма 55-ВНИИВВиМ, в количестве  $1,5 - 3,0 \cdot 10^{12}$  жизнеспособных спор, что составляет  $1,2 \cdot 10^7$  спор на см<sup>3</sup> среды. Весь посевной материал должен содержаться в объеме 25 л.

Устанавливают температуру инкубирования  $37^\circ\text{C}$ , в засеянную питательную среду подают сжатый воздух через барботер. Скорость подачи воздуха определяют по графику массообмена. Она должна обеспечивать уровень азотации 5,5 ммоль  $O_2$ /л в час. Культивируют 18 ч. Следующие 6 ч инкубируют без азотации.

Культура вакцинного штамма 55-ВНИИВВиМ, выращенная в этих условиях, состоит из зрелых жизнеспособных спор, количество которых в 1 см<sup>3</sup> составляет 350 500 млн.

Повышение уровня азотации выше 5,7 ммоль  $O_2$ /л в час отрицательно влияет на рост и спорообразование культуры штамма 55-ВНИИВВиМ: "урожай" спор с 1 см<sup>3</sup> питательной среды снижается на 30-40%. Спорообразование происходит лишь у 70-80% выросших вегетативных клеток.

Снижение уровня азотации ниже 5,3 ммоль  $O_2$ /л в час вызывает резкое уменьшение процента спорообразования. Споруют лишь 50-60% вегетативных клеток. Выход спор с 1 см<sup>3</sup> питательной среды уменьшается на 45-50%.

Пример 2. Осаждение спор в культуре вакцинного сибиреязвенного штамма 55-ВНИИВВиМ непосредственно в реакторе.

В реактор, содержащий 160 л споровой культуры штамма 55-ВНИИВВиМ с концентрацией спор 350 500 млн./см<sup>3</sup>, заливают через пробоотборник 16 л 2%-ного раствора Na KMЦ, простерилизованного при  $121^\circ\text{C}$  в течение 1 ч и охлажденного до  $40-50^\circ\text{C}$ . Содержимое реактора перемешивают и оставляют в состоянии покоя на 20-24 ч. По истечении этого времени надсадок осторожно декантируют, а осадок тщательно перемешивают и сливают в отдельный сосуд, например 20-литровую стеклянную бутылку. Осадок в количестве 10-15 л содержит 4-6 млрд. жизнеспособных спор/см<sup>3</sup>, легко ресуспендируется и его используют для изготовления вакцины против сибирской язвы животных. В этих условиях происходит 10-15-кратное концентрирование спорного материала.

При добавлении в спорую культуру Na KMЦ в конечной концентрации более 0,2% скорость осаждения спор не увеличивается.

При добавлении в спорую культуру Na KMЦ в количестве 0,10-0,15% осаждение спор происходит медленно в течение 10-12 сут. Изменение температуры от 0 до  $25^\circ\text{C}$  не влияет на скорость осаждения спор.

К суперконцентрированному спорному материалу добавляют глицерин до конечной концентрации 30%. Полученную в результате жидкую суперконцентрированную вакцину из штамма 55-ВНИИВВиМ с содержанием 50-300 доз в объеме 1-5 мл разливают в ампулы и отпаивают без вакуума.

Использование предлагаемого способа изготовления вакцины из штамма 55-ВНИИВВиМ по сравнению с существующими способами обеспечивает следующие преимущества:

позволяет изготавливать в реакторах большие объемы спор штамма 55-ВНИИВВиМ и концентрировать их, соблюдая условия стерильности;

позволяет проводить концентрирование спор в широком диапазоне температуры (0-25°C);

дает возможность увеличить выход спор с 1 см<sup>3</sup> питательной среды в 2 раза;

позволяет получать жидкую суперконцентрированную вакцину.

#### ФОРМУЛА ИЗОБРЕТЕНИЯ

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1. Способ изготовления вакцины против сибирской язвы животных, включающий культивирование штамма 55-ВНИИВВиМ в жидкой питательной среде, содержащей органический источник азота, до максимального образования спор и концентрирование споровой культуры с использованием вспомогательного вещества с последующим отстаиванием смеси и отделением осадка, отличающийся тем, что, с целью увеличения выхода количества спор с единицы питательной среды, сокращения трудоемкости способа, материальных затрат и времени на получение и концентрирование спорового материала, штамм 55-ВНИИВВиМ культивируют на питательной среде, содержащей дрожжевой экстракт сухой, пептон, калий фосфорнокислый двузамещенный, кальций хлористый, магний сернокислый, цинк сернокислый, медь сернокислую, железо сернокислое, аммоний сернокислый при следующем соотношении компонентов, мас.

Дрожжевой экстракт сухой 0,2 0,3

Пептон ферментативный сухой 0,2 0,3

Калий фосфорнокислый двузамещенный 0,04 0,06

Кальций хлористый 0,004 0,006

Магний сернокислый 0,03 0,05

Цинк сернокислый 0,0005 0,0015

Медь сернокислая 0,0005 0,0015

Железо сернокислое 0,00005 0,00015

Аммоний сернокислый 0,15 0,25

Вода деминерализованная (рН 7,2 ± 0,2) Остальное

2. Способ по п.1, отличающийся тем, что культивирование осуществляют в реакторе в течение 23-25 ч, из них первые 17-19 ч при аэрации, поддерживая скорость растворения кислорода в среде (5,5 ± 0,2) ммоль на 1 л среды в час.

3. Способ по п.1, отличающийся тем, что для концентрирования бактериальных спор в качестве вспомогательного вещества используют натриевую соль карбоксиметилцеллюлозы, которую вносят в суспензию до конечной концентрации 0,2-0,3% а отстаивание проводят при 0-25°C в течение 23-25 ч.

#### ИЗВЕЩЕНИЯ ОБ ИЗМЕНЕНИИ ПРАВОВОГО СТАТУСА

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(54) METHOD FOR PRODUCING A VACCINE AGAINST ANTHRAX

Use: biotechnology, microbiology, vaccine against animal anthrax. Essence of the invention: the vaccine strain 5-VNIIVViM is cultured in a liquid sporulation-growth medium containing yeast extract, peptone, potassium biphosphate, potassium chloride, zinc sulfate, copper sulfate, iron sulfate, ammonium sulfate and water (pH 7.2±0.2). Culturing of the strain is accomplished in a reactor over 23 to 25 hours, the first 17 to 19 hours during aeration, maintaining a rate of dissolution of oxygen in the medium of 5.5±0.2 mmol per liter of medium per hour. The sodium salt of carboxymethylcellulose is used to concentrate the spores, the salt being introduced to the suspension to a concentration of 0.2-0.3%, while precipitation is accomplished at a temperature of 0-25°C for 23 to 25 hours. Two dependent claims.

The invention pertains to microbiology, specifically biotechnology of vaccine preparations, and can be used in the production of a vaccine against anthrax.

The method of culturing bacteria of the species *B. anthracis* in quarter bottles on a dense nutrient sporulation medium containing edible yeast hydrolyzate as main component is used to produce the vaccine against anthrax [1].

The shortcoming of this method is the duration of the process for culturing the strain of *B. anthracis* (72 to 82 hours) and also the labor intensity, since workup of the spore material is accomplished in quarter bottles.

The closest technical solution chosen as prior art is the method for culturing the strain 55-VNIIVViM in a liquid nutrient medium using acid hydrolyzate of beef as nitrogen source. The method permits spore material to be produced in 48 hours containing 100 to 300 million vital spores of the strain 55-VNIIVViM [2].

The main drawbacks of this method include the low yield of spore material from 1 cm<sup>3</sup> of nutrient medium (100-300 million spores per 1 cm<sup>3</sup>), use of meat, a valuable human food product, in the culture medium and also the duration of the process for culturing and producing the spores (2 days).

A method is known for concentration of bacterial spores by precipitation, using the auxiliary substance polyethyleneimine (Certificate of Authorship No. 1792969, cl. C 12 N 1/02, authors Bakulov, I. A. et al.). It permits concentration of bacterial spores in the suspension in 4 to 5 days.

The main drawbacks of this method include the duration of the concentration process (4 to 5 days) and also the formation of strong conglomerates of spores during precipitation, which are difficult to resuspend. The presence of spore conglomerates in the vaccine is inadmissible.

The purpose of the present invention is to increase the yield of the number of spores per unit of nutrient medium, reduce the labor intensity of the method, the material costs and time to produce a concentrate spore material for vaccine production.

The objective is achieved in that in the proposed method for producing the vaccine against anthrax culturing is accomplished in a reactor, using a liquid sporulation-growth medium with the following composition (by weight) developed by us and approved in the production of a vaccine:

Dry yeast extract 0.2-0.3  
Dry enzymatic peptone 0.2-0.3  
Potassium biphosphate 0.04-0.06  
Potassium chloride 0.004-0.006  
Magnesium sulfate 0.03-0.05  
Zinc sulfate 0.0005-0.0015  
Copper sulfate 0.0005-0.0015  
Iron sulfate 0.00005-0.00015  
Ammonium sulfate 0.15-0.25  
Demineralized water (pH 7.2±0.2) remainder

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Moreover, different culturing conditions are used. In the first 18 hours the culture of strain 55-VNIIVViM is aerated with air by bubbling, the aeration level is 5.3-5.7 mmol of dissolved oxygen per liter of medium in 1 hour, in which 95 to 100% of the grown bacterial cells form spores. Aeration is then stopped and the culture held for 6 hours to completion of spore formation and complete lysis of the vegetative material.

A reduction in the time for concentration of the spore material is achieved by using the sodium salt of carboxymethylcellulose (NaCMC) as auxiliary in an optimal concentration of 0.2-0.3%. Moreover, precipitation of the spores is accomplished directly in the reactor at a temperature of 0 to 25°C over 23 to 25 hours.

The culturing method was worked out on a 5 L "Bromma" fermenter (LKB Co., Sweden) and reproduced in a 250 L reactor. This method can be accomplished in vessels for culturing of different volume. For this purpose it is necessary to determine the mass transfer characteristics of the employed vessels relative to oxygen. This can be done by the sulfite method.

Example 1. Determination of mass transfer relative to oxygen in a 250 L reactor, growing of the culture of strain 55-VNIIVViM and production of spores.

The rate of dissolution of oxygen (mmol O<sub>2</sub> per hour) during supply of oxygen through a bubbler in a reactor in an amount of 2.5 dm<sup>3</sup>/L water per minute or 40 dm<sup>3</sup>/160 L water per minute (first measurement); 5 dm<sup>3</sup>/L of water per minute or 80 dm<sup>3</sup>/160 L per minute (second measurement) and 7.5 dm<sup>3</sup>/L of water per minute or 120 dm<sup>3</sup>/160 L water per minute (third measurement) is determined according to the improved sulfite method in a 250-liter reactor containing 160 L distilled water.

The obtained numerical values of the three measurements are used to plot a graph that reflects the aeration level ( $\text{mmol O}_2/\text{L}$  per hour) versus rate of air feed to the reactor ( $\text{dm}^3/\text{L}$  per minute).

Growing of a culture of strain 55-VNIIVViM and production of spores.

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160 L sporulation-growth medium is prepared in a reactor (250 L) according to the specification (see above). The reagents are dissolved in the same sequence in which they are entered. The pH of the medium is set at  $7.2 \pm 0.2$  by adding 25% potassium or sodium hydroxide solution. The medium is sterilized at  $134^\circ\text{C}$  for 1 hour and cooled to  $30-35^\circ\text{C}$ .

The seed material, a spore suspension of strain 55-VNIIVViM in an amount of  $1.5-3.0 \cdot 10^{12}$  vital spores, which amounts to 1 to  $2 \cdot 10^7$  spores per  $\text{cm}^3$  of medium is poured into the reactor with nutrient medium through the sampling device. All the seed material should be contained in a volume of 2 to 5 L.

An incubation temperature of  $37^\circ\text{C}$  is established, compressed air is fed into the inoculated nutrient medium. The rate of air feed is determined according to the mass transfer graph. It should ensure an aeration level of  $5.5 \text{ mmol O}_2/\text{L}$  per hour. It is cultured for 18 hours. It is incubated for the next 6 hours without aeration.

The culture of vaccine strain 55-VNIIVViM grown under these conditions consists of mature vital spores, the amount of which is 350 to 500 million in  $1 \text{ cm}^3$ .

An increase in the aeration level above  $5.7 \text{ mmol O}_2/\text{L}$  per hour has an adverse effect on growth and spore formation of the culture of strain of 55-VNIIVViM: "the harvest" of spores from  $1 \text{ cm}^3$  of nutrient medium diminishes by 30 to 40% and spore formation occurs only in 70 to 80% of the grown vegetative cells.

A reduction in the aeration level of  $5.3 \text{ mmol O}_2/\text{L}$  per hour causes a sharp reduction in the percentage of spore formation. Only 50 to 60% of the vegetative cells sporulate. The yield of spores from  $1 \text{ cm}^3$  of nutrient medium diminishes by 45 to 50%.

Example 2. Precipitation of spores in a culture of anthrax vaccine of strain 55-VNIIVViM directly in the reactor.

16 L of a 2% NaCMC solution sterilized at  $121^\circ\text{C}$  for 1 hour and cooled to  $40$  to  $50^\circ\text{C}$  is poured into a reactor through the sampling device, the reactor containing 160 L spore culture of strain 55-VNIIVViM with a spore concentration of 350 to 500 million/ $\text{cm}^3$ . The contents of the reactor are mixed and left at rest for 20 to 24 hours. After this time the supernatant is carefully decanted and the precipitate carefully mixed and poured into a separate vessel, for example a 20-liter glass bottle. The precipitate in an amount of 10 to 15 L contains 4 to 6 billion vital spores/ $\text{cm}^3$ , is easily resuspended and used to produce a vaccine against animal anthrax. Under these conditions 10- to 15-fold concentration of the spore material occurs.

When NaCMC is added to the spore culture in a final concentration of more than 0.2%, the rate of precipitation of the spores is not increased.

When NaCMC is added to the spore culture in an amount of 0.10 to 0.15%, precipitation of the spores occurs slowly over 10 to 12 hours. A change in temperature from  $0$  to  $25^\circ\text{C}$  does not affect the rate of precipitation of spores.

Glycerol is added to the super concentrated spore material to a final concentration of 30%. The super concentrated liquid vaccine obtained as a result from strain 55-VNIIVViM containing 50 to 300 doses in a volume of 1 to 5 mL is poured into vials and sealed without vacuum.

Use of the proposed method for producing a vaccine from strain 55-VNIIVViM in comparison with the existing methods ensures the following advantages:

It permits production of larger volumes of spores of strain 55-VNIIVViM in reactors and their concentration, observing conditions of sterility;

It reduces the time to produce the spore material by a factor of 2 and the time to concentrate the spores by a factor of 5;

It permits concentration of spores over a wide temperature range (0-25°C);

It offers a possibility of increasing the yield of spores from 1 cm<sup>3</sup> of nutrient medium by a factor of 2;

It permits a liquid super concentrated vaccine to be prepared.

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#### CLAIMS

1. Method for preparation of a vaccine against animal anthrax, including culturing of strain 55-VNIIVViM in a liquid nutrient medium containing an organic nitrogen source, to maximum spore formation and concentration of the spore culture using an auxiliary substance with subsequent precipitation of the mixture and separation of the precipitate, characterized by the fact that, in order to increase the yield of the number of spores per unit nutrient medium, to reduce the labor intensity of the method, the material costs and time to prepare and concentrate the spore material, strain 55-VNIIVViM is cultured on the nutrient medium containing dry yeast extract, peptone, potassium biphosphate, potassium chloride, magnesium sulfate, zinc sulfate, copper sulfate, iron sulfate, ammonium sulfate with the following ratio of components, by weight,

Dry yeast extract 0.2-0.3

Dry enzymatic peptone 0.2-0.3

Potassium biphosphate 0.04-0.06

Potassium chloride 0.004-0.006

Magnesium sulfate 0.03-0.05

Zinc sulfate 0.0005-0.0015

Copper sulfate 0.0005-0.0015

Iron sulfate 0.00005-0.00015

Ammonium sulfate 0.15-0.25

Demineralized water (pH 7.2±0.2) remainder

2. Method according to Claim 1, characterized by the fact that culturing is accomplished in the reactor for 23 to 25 hours, the first 17 to 19 hours during aeration, maintaining a rate of oxygen dissolution in the medium of (5.5±0.2) mmol per 1 L of medium per hour.

3. Method according to Claim 1, characterized by the fact that, for concentration of the bacterial spores, the sodium salt of carboxymethylcellulose is used as auxiliary substance, introduced to the suspension to a final concentration of 0.2-0.3% and precipitation is carried out at 0 to 25°C over 23 to 25 hours.

#### NOTIFICATION OF CHANGE IN LEGAL STATUS

Bulletin number	16/2002
Date of publication of bulletin	June 10, 2002
Code of change in legal status	MM4A – Immediate termination of effect of patents of the Russian Federation owing to nonpayment of the fees to maintain the patent in force in the established period

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In re: Conkle et al.

Serial No.: 09/701,760

Filing Date: April 19, 2004

For: Method for Purification, Recovery, and  
Sporulation of Cysts and Oocysts

MBSS Ref.: 5175-135 KAM/sb



Respectfully submitted,  
MYERS BIGEL SIBLEY & CAJOVEC

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